

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
No. 1:25-cv-391-CCE-LPA**

JOSHUA STOW, SHARONE BUNN,  
AND TIARA LOFTON, individually and  
on behalf of all others similarly situated,

Plaintiffs,

v.

ACTIVEHOURS, INC. d/b/a EARNIN,

Defendant.

**DECLARATION OF TIARA LOFTON**

I, Tiara Lofton, declare that the following is true and correct to the best of my knowledge:

1. I am a plaintiff in this lawsuit against Defendant Activehours, Inc.
2. I am an adult individual residing in Winterville, North Carolina.
3. After Defendant filed its Motion to Compel Arbitration, I was made aware of the April 2023 and November 2023 Terms of Service (referred to together as the “ToS”).
4. I do not remember agreeing to the ToS.
5. I do not remember seeing or reading the ToS when I created my EarnIn account.
6. I do not remember seeing or reading the ToS when I purchased cash advances.

7. After Defendant filed its Motion to Compel, I also was made aware of the November 21, 2023 email that Defendant references in its Motion to Compel Arbitration.

8. I do not remember seeing or reading the November 21, 2023 email.

9. I was previously not aware of any agreement with Defendant to arbitrate claims against Defendant, and I did not intend to agree to arbitrate anything with Defendant and do not believe I agreed to do so.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 09/04/2025

By: 

TIARA LOFTON